

Application Serial No. 10/840,022

Attorney Docket No. 12353-4

II. Remarks

By this paper, Applicant is amending claims 1, 3, 8 and 16. Previously, claim 14 had been cancelled by Amendment filed 04/20/2007. Therefore, claims 1-13 and 15-19 are currently pending.

Reconsideration and further examination of this application in view of the above amendments and the following remarks is therefore respectfully requested.

Claim Clarifications

Claim 3 has been amended to clarify, more particularly point out, and distinctly claim that which Applicant regards as the subject matter of the present invention. Claim 3 has been amended to replace the terms "substance" and "injection molding apparatus" with the terms "chlorinated polyolefin" and "mold" respectively. No new matter is added.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected claims 1, 2, and 5 under 35 U.S.C. § 103(a) as being unpatentable over *Ladney, Jr.* (U.S. Patent No. 3,871,060) in view of *Nakajima* (U.S. Patent No. 4,608,415).

Claim 1 has been amended to include the step of introducing a thermoplastic resin having a temperature of at least 190 degrees Celsius on the chlorinated polyolefin in the mold. Paragraph [0030] of the original Application as filed states, "when it is inserted into the mold the thermoplastic resin preferably has a temperature of approximately 190 degrees Celsius for one grade of thermoplastic resin." Therefore, no new matter is added by this amendment.

Ladney, Jr. fails to disclose a thermoplastic resin having a temperature of at least 190 degrees Celsius. Specifically, *Ladney, Jr.* does not disclose the temperature of the plastic foam at any point in the foam molding process. Moreover, a thermoplastic resin having a temperature of at least 190 degrees Celsius is not inherent in a foam molding process. Rather, plastic foam molding processes, such as the process disclosed in *Ladney, Jr.*, occur at temperatures significantly lower than 190 degrees Celsius. The temperature at which foam molding occurs would be inadequate to melt a thermoplastic

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resin to be used in the method disclosed in this application and to cause diffusion of the chlorinated polyolefin through at least a portion of the surface of the molded article as recited in claim 1.

Nakajima fails to cure the deficiencies of *Ladney, Jr.* *Nakajima* discloses a composition of modified chlorinated resins. Therefore, neither *Ladney, Jr.* nor *Nakajima* discloses or suggests a thermoplastic resin having a temperature of at least 190 degrees Celsius.

Claims 2 and 5 depend from claim 1. Therefore, for the reasons discussed above, the Examiner's rejection of claims 1, 2, and 5 should be withdrawn.

The Examiner rejected claims 3, 4, 6-13, and 15-19 under 35 U.S.C. § 103(a) as being unpatentable over *Ladney, Jr.* in view of *Nakajima* in further view of *Rechenberg* (U.S. Publication No. 2004/0249075).

Claims 3, 4, 6, and 7 each depend from claim 1. Therefore, claims 1, 3, 4, 6, and 7 are not unpatentable over *Ladney, Jr.* in view of *Nakajima* for the reasons discussed above. Moreover, the deficiencies in the combination of *Ladney, Jr.* and *Nakajima* are not cured by the additional combination with *Rechenberg*. *Rechenberg* fails to disclose a thermoplastic resin having a temperature of at least 190 degrees Celsius.

Claim 8 has been amended to include the step of introducing a thermoplastic resin having a temperature of at least 190 degrees Celsius on the chlorinated polyolefin in the mold. No new matter is added by this amendment, as discussed above with respect to claim 1.

As discussed above, *Ladney, Jr.* fails to disclose a thermoplastic resin having a temperature of at least 190 degrees Celsius. In addition, *Nakajima* and *Rechenberg* fail to cure the deficiencies of *Ladney, Jr.* *Nakajima* discloses a composition of modified chlorinated resins. *Rechenberg* discloses powder coating compositions having improved mar and acid resistance. Therefore, neither *Ladney, Jr.*, *Nakajima*, nor *Rechenberg* discloses or suggests a thermoplastic resin having a temperature of at least 190 degrees Celsius.

Claims 9-13 and 15 depend from claim 8. Therefore, for the reasons discussed

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above, the Examiner's rejections of claims 8-13, and 15 should be withdrawn.

Claim 16 has been amended to include the step of inserting a thermoplastic resin having a temperature of at least 190 degrees Celsius on the chlorinated polyolefin in the mold. No new matter is added by this amendment, as discussed above with respect to claim 1.

As discussed above, *Ladney, Jr.* fails to disclose a thermoplastic resin having a temperature of at least 190 degrees Celsius. Also, as noted above, *Nakajima* and *Rechenberg* fail to cure the deficiencies of *Ladney, Jr.* Therefore, neither *Ladney, Jr.*, *Nakajima*, nor *Rechenberg* discloses or suggests a thermoplastic resin having a temperature of at least 190 degrees Celsius.

Claims 17-19 depend from claim 16. Therefore, for the reasons discussed above, the Examiner's rejections of claims 16-19 should be withdrawn.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. The Examiner is invited to contact the undersigned attorney for the Applicant via telephone number (312) 245-5390, if such communication would expedite this application.

Respectfully submitted,

September 11, 2007
Date



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